

To: Klassman, Debra[klassman.debra@epa.gov]; Poy, Thomas[poy.thomas@epa.gov]; Shoven, Heather[shoven.heather@epa.gov]; Bosscher, Valerie[bosscher.valerie@epa.gov]; Bair, Rita[bair.rita@epa.gov]; Deltoral, Miguel[deltoral.miguel@epa.gov]
From: Fulghum, Mary
Sent: Thur 3/2/2017 6:29:03 PM
Subject: FW: WBOI - Lawyers Request EPA Intervention For Lead In East Chicago Water

From: Arcaute, Francisco
Sent: Thursday, March 02, 2017 12:28 PM
To: Garypie, Catherine <garypie.catherine@epa.gov>; Drexler, Timothy <drexler.timothy@epa.gov>; Hassan, Jacob <hassan.jacob@epa.gov>; Pope, Janet <Pope.Janet@epa.gov>; Mitchell, James <mitchell.james@epa.gov>; Alcamo, Thomas <alcamo.thomas@epa.gov>; Rodriguez, Charles <rodriguez.charles@epa.gov>; Cannon, Phillippa <Cannon.Phillippa@epa.gov>; Haag, Daniel <Haag.Daniel@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>
Cc: Kaiser, Steven <kaiser.steven@epa.gov>; Chingcuanco, Leonardo <Chingcuanco.Leonardo@epa.gov>; Toney, Marcy <toney.marcy@epa.gov>; Fulghum, Mary <fulghum.mary@epa.gov>
Subject: WBOI - Lawyers Request EPA Intervention For Lead In East Chicago Water

<http://wboi.org/post/lawyers-request-epa-intervention-lead-east-chicago-water#stream/0>

Lawyers Request EPA Intervention For Lead In East Chicago Water

By Annie Ropeik and Nick Janzen • 19 minutes ago

[Tweet](#)[Share](#)[Google+](#)[Email](#)

●□□□□□□



(Annie Ropeik/IPB News)

A group of lawyers is asking the Environmental Protection Agency to issue an emergency order about lead contamination in drinking water in East Chicago, Indiana.

The request comes from a nonprofit that made this same request in Flint, Michigan – the Natural Resources Defense Council, NRDC. Now, it's working with East Chicago residents and their lawyers, and it filed a [petition for emergency action](#) with the EPA on Thursday.

“The disastrous effects of lead in our soil have already taken a toll on our community,” said East Chicago resident Sherry Hunter in a press release. “But lead coming through our taps takes this mess to a whole new, unacceptably horrible level. We live in America; we should not be left drinking poison while officials ponder away at long-term solutions. If the city and state cannot help us quickly, it is time for the federal government to help its citizens.”

According to federal guidelines, the EPA has broad, discretionary authority under the Safe Drinking Water Act to intervene when it determines that contaminated drinking water poses an “imminent and substantial endangerment” to human health.

The NRDC says that’s the case in East Chicago, as is the other condition the EPA needs for an emergency order: local and state authorities aren’t doing enough to respond to the hazards.

The EPA released data last fall showing elevated lead levels in the drinking water of 18 homes in the Calumet neighborhood of East Chicago. The neighborhood is part of the agency’s USS Lead Superfund site, which is contaminated with lead and arsenic over 100 times the legal limit.

The EPA says the contaminated water is not related to the contaminated soil – rather, the lead in the water is leaching out of the city’s old lead drinking water pipes. The city maintains that its drinking water is in compliance with state regulations.

The EPA has previously said it doesn’t plan to expand water testing in East Chicago. But it did direct the Indiana Department of Environmental Management to increase corrosion controls in the city’s water supply, to protect against leaching from lead pipes.

Local and state authorities have also discussed long-term funding options to improve the pipes, but they haven’t taken action so far.

Indiana Public Broadcasting has requested responses from the city of East Chicago and the EPA on the NRDC petition. This post will be updated as new information becomes available.

From: Garypie, Catherine

Sent: Thursday, March 02, 2017 10:01 AM

To: Drexler, Timothy <drexler.timothy@epa.gov>; Hassan, Jacob <hassan.jacob@epa.gov>; Pope, Janet <Pope.Janet@epa.gov>; Mitchell, James <mitchell.james@epa.gov>; Alcamo, Thomas <alcamo.thomas@epa.gov>; Rodriguez, Charles <rodriguez.charles@epa.gov>; Cannon, Phillippa <Cannon.Phillippa@epa.gov>; Haag, Daniel <Haag.Daniel@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Arcaute, Francisco <Arcaute.Francisco@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>

Cc: Kaiser, Steven <kaiser.steven@epa.gov>; Chingcuanco, Leonardo <Chingcuanco.Leonardo@epa.gov>; Toney, Marcy <toney.marcy@epa.gov>; Fulghum, Mary <fulghum.mary@epa.gov>

Subject: RE: USS Lead - URGENT

Here is the petition.

From: Garypie, Catherine

Sent: Thursday, March 2, 2017 9:42 AM

To: Drexler, Timothy <drexler.timothy@epa.gov>; Hassan, Jacob <hassan.jacob@epa.gov>; Pope, Janet <Pope.Janet@epa.gov>; Mitchell, James <mitchell.james@epa.gov>; Alcamo, Thomas <alcamo.thomas@epa.gov>; Rodriguez, Charles <rodriguez.charles@epa.gov>; Cannon, Phillippa <Cannon.Phillippa@epa.gov>; Haag, Daniel <Haag.Daniel@epa.gov>; Rowan, Anne <rowan.anne@epa.gov>; Arcaute, Francisco <Arcaute.Francisco@epa.gov>; Kelley, Jeff <kelley.jeff@epa.gov>

Cc: Kaiser, Steven <kaiser.steven@epa.gov>; Chingcuanco, Leonardo <Chingcuanco.Leonardo@epa.gov>; Toney, Marcy <toney.marcy@epa.gov>; Fulghum, Mary <fulghum.mary@epa.gov>

Subject: USS Lead - URGENT

See below, FYI. I do not have any more information at this time.

From: Deborah Gail Musiker [<mailto:Debbie.M.Chizewer@law.northwestern.edu>]

Sent: Thursday, March 2, 2017 9:38 AM

To: Lang, Annette (ENRD) <Annette.Lang@usdoj.gov>

Cc: Garypie, Catherine <garypie.catherine@epa.gov>

Subject: Heads up

Hi Annette and Catherine,

I wanted to give you a heads up that this morning NRDC and several groups, including the legal clinics and our clients, will be filing before EPA a petition for emergency action, under the Safe Drinking Water Act, to abate the imminent and substantial endangerment to East Chicago, Indiana residents from lead contamination in drinking water.

Thanks,

Debbie

Debbie (Musiker) Chizewer

Montgomery Environmental Law Fellow

Environmental Advocacy Clinic

Bluhm Legal Clinic

Northwestern University School of Law

375 E. Chicago Avenue, Chicago, IL 60611-3069

Debbie.M.Chizewer@law.northwestern.edu

312-503-4253